

Exhibit 79

**JAMES M. FURLONG
SMARTMATIC USA .V. LINDELL**

June 19, 2024

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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF MINNESOTA 3 ----- 4 SMARTMATIC USA CORP., 5 SMARTMATIC INTERNATIONAL 6 HOLDING B.V., AND SGO CORPORATION 7 LIMITED, Case No. 8 22-cv-0098-JMB-JFD 9 Plaintiffs, 10 11 v. 12 13 MICHAEL J. LINDELL and 14 MY PILLOW, INC., 15 Defendants. 16 ----- 17 18 REMOTE VIDEOTAPED DEPOSITION 19 OF 20 JAMES M. FURLONG 21 JUNE 19, 2024 22 23 24 25 Job No. J11398945 26 Stenographically Reported By: Amy L. Larson, RPR</p>	<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES: 2 BENESCH, FRIEDLANDER, COPLAN & ARONOFF, LLP 3 Attorneys for Plaintiffs 4 71 South Wacker Drive 5 Suite 1600 6 Chicago, IL 60606 7 BY: TIMOTHY FREY, ESQ. 8 tfrey@beneschlaw.com 9 JULIE LOFTUS, ESQ. 10 jloftus@beneschlaw.com 11 MCSWEENEY, CYNKAR & KACHOUROFF, PLLC 12 Attorneys for Defendants 13 13649 Office Place 14 Suite 101 15 Woodbridge, Virginia 22192 16 BY: CHRISTOPHER KACHOUROFF, ESQ. 17 chris@mck-lawyers.com 18 19 ALSO PRESENT: 20 Michael Bender, Videographer 21 22 23 24 25</p>
<p style="text-align: right;">Page 2</p> <p>1 2 3 4 Remote Videotaped Deposition of JAMES M. FURLONG, 5 taken before Amy L. Larson, a Registered 6 Professional Reporter, Notary Public in the State of 7 Minnesota and State of Wisconsin, Certified Court 8 Reporter in the states of Washington, Utah and 9 New Mexico, and Certified Shorthand Reporter in 10 the states of Oregon and Illinois, taken on 11 June 19, 2024, commencing at approximately 12 1:00 p.m. CST. 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX: 2 EXAMINATION BY: PAGE 3 Mr. Frey 7, 83 4 Mr. Kachouroff 80 5 PREVIOUSLY-MARKED EXHIBITS: 6 Exhibit No. 7 Exhibit 92 19 8 MyPillow Corporate Bylaws 9 Bates DEF030754-000001 - 10 DEF030754-000019 11 12 Exhibit 93 36 13 What are the Odds? From 14 Crack Addict to CEO - Mike Lindell 15 Bates DEF043826.000001 - DEF043826.000413 16 Exhibit 659 53 17 Page Vault 18 Document Title: Trump March Bus Tour 19 No Bates 20 Exhibit 661 63 21 Page Vault 22 Document Title: FrankSpeech.com 23 No Bates 24 Exhibit 666 70 25 MyPillow Board Meeting 10.5.2021 26 Agenda 27 Bates DEF11273862 - DEF11273864 28 29 Exhibit 669 55 30 Video Clip 31 Absolute Proof Documentary 32 33 34 35</p>

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<p>Page 5</p> <p>1 INDEX: (Cont'd.)</p> <p>2 EXHIBITS MARKED FOR IDENTIFICATION: PAGE</p> <p>3 Exhibit No.</p> <p>4 Exhibit 667 46</p> <p>Star Tribune Article</p> <p>5 Mike Lindell's biggest gamble:</p> <p>Giving hard sell to baseless</p> <p>6 election fraud claims</p> <p>No Bates</p> <p>7</p> <p>Exhibit 668 73</p> <p>8 September 8, 2022 Email</p> <p>Bates DEF026575.000001 -</p> <p>9 DEF026575.000003</p> <p>10 Exhibit 672 56</p> <p>Video Clip</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 7</p> <p>1 JAMES M. FURLONG,</p> <p>2 a witness in the above-entitled action,</p> <p>3 after having been first duly sworn, was</p> <p>4 deposed and says as follows:</p> <p>5</p> <p>6 THE COURT REPORTER: Thank you.</p> <p>7 And before we begin, I'd just ask if</p> <p>8 you can sit as close as you can to the</p> <p>9 microphone so we can hear you clearly.</p> <p>10 THE WITNESS: All righty.</p> <p>11 THE COURT REPORTER: Thank you.</p> <p>12</p> <p>13 EXAMINATION</p> <p>14 BY MR. FREY:</p> <p>15 Q. Hi. Good -- good afternoon or good morning,</p> <p>16 Mr. Furlong. I believe it's afternoon for us</p> <p>17 and morning for you.</p> <p>18 Before we begin, I introduced myself</p> <p>19 briefly before we went on, but my name is</p> <p>20 Tim Frey. I'll be asking you some questions</p> <p>21 today on behalf of Smartmatic.</p> <p>22 Could you please state and spell your</p> <p>23 name for the record.</p> <p>24 A. James Michael Furlong, F-U-R-L-O-N-G.</p> <p>25 Q. Thank you.</p>
<p>Page 6</p> <p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: Good afternoon.</p> <p>3 We are now on the record. The current time</p> <p>4 is 1:01 p.m. Central. Today's date is</p> <p>5 June 19th, 2024.</p> <p>6 This begins the videotaped deposition</p> <p>7 of Jim Furlong in the matter of Smartmatic</p> <p>8 USA Corporation, et al. vs. Michael J.</p> <p>9 Lindell, et al. The case number is</p> <p>10 22-cv-0098-JMB-JFD.</p> <p>11 My name is Michael Bender. I'm your</p> <p>12 remote videographer. And your court reporter</p> <p>13 is Amy Larson.</p> <p>14 Counsel, will you please introduce</p> <p>15 yourselves, and the witness will be sworn.</p> <p>16 MR. FREY: Good afternoon. This</p> <p>17 is Tim Frey on behalf of Smartmatic, the</p> <p>18 plaintiffs.</p> <p>19 MS. LOFTUS: Julie Loftus also on</p> <p>20 behalf of Smartmatic plaintiffs.</p> <p>21 MR. KACHOUROFF: Christopher</p> <p>22 Kachoureff on behalf of Mike Lindell and</p> <p>23 MyPillow, Inc.</p> <p>24</p> <p>25</p>	<p>Page 8</p> <p>1 And Mr. Furlong, where do you</p> <p>2 currently live?</p> <p>3 A. Well, I live half the year in Minnesota and</p> <p>4 half the year in Arizona. My -- I'm</p> <p>5 registered to vote in Kabetogama, Minnesota.</p> <p>6 Q. Okay. And what is your address there in</p> <p>7 Minnesota?</p> <p>8 A. 10136 Timber Wolf Trail, Kabetogama,</p> <p>9 Minnesota 56669.</p> <p>10 Q. Thank you.</p> <p>11 And today you are present -- you're</p> <p>12 actually in Arizona; is that correct?</p> <p>13 A. Yeah, I also have a home in Arizona.</p> <p>14 Q. What is your address there?</p> <p>15 A. 18540 North Ibis, I-B-I-S, Way, Maricopa,</p> <p>16 Arizona, 85138.</p> <p>17 Q. Thank you, Mr. Furlong.</p> <p>18 Mr. Furlong, have you been deposed at</p> <p>19 any time before today?</p> <p>20 A. Yes.</p> <p>21 Q. How many times have you been deposed before?</p> <p>22 A. Two or three times, I guess.</p> <p>23 Q. Do you remember the circumstances of your</p> <p>24 first -- the deposition that you gave?</p> <p>25 A. Not really. I remember the last one I gave,</p>

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<p style="text-align: right;">Page 9</p> <p>1 but...</p> <p>2 Q. Were you --</p> <p>3 A. I --</p> <p>4 Q. Were you a party to the lawsuit for the first</p> <p>5 deposition that you gave?</p> <p>6 A. Yes.</p> <p>7 Q. And do you recall if you were a plaintiff or</p> <p>8 defendant in that action?</p> <p>9 A. I was the defendant, I believe. Yes.</p> <p>10 Q. And where was that case? Do you remember</p> <p>11 where that case, what court it was pending</p> <p>12 in?</p> <p>13 A. No, I don't really remember. It was quite a</p> <p>14 few years ago. It -- it was MyPillow and</p> <p>15 Salesforce.</p> <p>16 Q. And what was the subject matter, if you</p> <p>17 recall?</p> <p>18 A. There was a dispute over the contract and the</p> <p>19 money involved.</p> <p>20 Q. Okay. And you were just providing testimony</p> <p>21 as an officer of MyPillow; is that accurate?</p> <p>22 A. Yes.</p> <p>23 Q. Do you know if that case ever went to trial?</p> <p>24 A. No, it didn't.</p> <p>25 Q. Do you recall the second time you were</p>	<p style="text-align: right;">Page 11</p> <p>1 have explained some of this to you, but I'd</p> <p>2 just like to get it on the record.</p> <p>3 So, first, I'd ask that in the room</p> <p>4 that you're in, you don't kind of be on your</p> <p>5 cell phone or looking at the computer or any</p> <p>6 documents around you during the deposition</p> <p>7 unless you identify that to us.</p> <p>8 Is that fair?</p> <p>9 A. Understood.</p> <p>10 Q. In terms of exhibits, we'll be going over a</p> <p>11 couple of exhibits today. And what we'll do</p> <p>12 is we will drop them into the chat function</p> <p>13 on the Zoom.</p> <p>14 A. Okay.</p> <p>15 Q. And you'll be able to open up the PDF from</p> <p>16 there and you'll be able to review it and</p> <p>17 take as much time as you'd like with it, and</p> <p>18 then we'll ask you questions on it.</p> <p>19 Does that work?</p> <p>20 A. Yes.</p> <p>21 Q. You're already doing really well with this,</p> <p>22 but I ask -- and this is for all</p> <p>23 depositions -- that you allow me to finish</p> <p>24 asking the question before you start to</p> <p>25 respond so that the court reporter can get it</p>
<p style="text-align: right;">Page 10</p> <p>1 deposed?</p> <p>2 A. Jesus. No, I don't. I don't recall.</p> <p>3 Q. And you said you did recall the most recent</p> <p>4 time. What -- what were the circumstances --</p> <p>5 A. That was the Salesforce one, yeah.</p> <p>6 Q. That was the Salesforce one?</p> <p>7 A. Right. That was the last deposition I gave</p> <p>8 before this one.</p> <p>9 Q. Okay. And there were maybe two more, but you</p> <p>10 can't really remember --</p> <p>11 A. One or two, I mean, from -- you know, I've</p> <p>12 owned companies my entire life, and there's</p> <p>13 always disputes, as you well know, and it</p> <p>14 probably had to do with one of those</p> <p>15 companies. It was not with MyPillow.</p> <p>16 Q. Okay. And were either of those or were any</p> <p>17 of those three depositions remote as we're</p> <p>18 doing today?</p> <p>19 A. No, they were all in office.</p> <p>20 Q. Okay. So I just want to go over a few things</p> <p>21 just about the logistics and kind of</p> <p>22 procedures for these remote depositions,</p> <p>23 okay?</p> <p>24 A. Okay.</p> <p>25 Q. So Mr. Kachouroff, your other counsel, might</p>	<p style="text-align: right;">Page 12</p> <p>1 down.</p> <p>2 Is that fair?</p> <p>3 A. Yes.</p> <p>4 Q. Thank you.</p> <p>5 And along the same lines, because we</p> <p>6 have a court reporter here, everything needs</p> <p>7 to be a verbal response, not a head nod or a</p> <p>8 head shake.</p> <p>9 Do you understand?</p> <p>10 A. Yes.</p> <p>11 Q. And if you don't understand one of my</p> <p>12 questions, please just ask me to clarify. If</p> <p>13 you answer a question, I'll assume that you</p> <p>14 have understood it.</p> <p>15 Is that fair?</p> <p>16 A. Okay.</p> <p>17 Q. During my questioning today, Mr. Kachouroff</p> <p>18 might object to certain of them, but unless</p> <p>19 he instructs you not to answer the question,</p> <p>20 you're required to answer even though there's</p> <p>21 an objection.</p> <p>22 Do you understand that?</p> <p>23 A. Okay. Yes.</p> <p>24 Q. And if you need a break at any time, just let</p> <p>25 us know, we're happy to go off the record and</p>

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<p style="text-align: right;">Page 13</p> <p>1 take a break. The only request I have in</p> <p>2 that regard is we don't break while a</p> <p>3 question is pending. So if I ask a question,</p> <p>4 you know, provide a response and then we can</p> <p>5 break.</p> <p>6 Is that fair?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know of any reason why you could not</p> <p>9 provide accurate testimony today?</p> <p>10 A. No.</p> <p>11 Q. What, if anything, did you do to prepare for</p> <p>12 your deposition today?</p> <p>13 A. Nothing.</p> <p>14 Q. You didn't meet with anybody?</p> <p>15 A. No, I did not.</p> <p>16 Q. You did not review any documents?</p> <p>17 A. No, I did not.</p> <p>18 Q. So I want to start by just talking a little</p> <p>19 bit about your history with MyPillow so I can</p> <p>20 understand kind of your roles and</p> <p>21 responsibilities, how you -- how you kind of</p> <p>22 spend your time with the company over the</p> <p>23 past years.</p> <p>24 Do you recall when you started your</p> <p>25 first association with MyPillow?</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. And do you recall what your next position was</p> <p>2 while in that time?</p> <p>3 A. Well, you know, MyPillow was never a normal</p> <p>4 company, so we all decided we wanted titles,</p> <p>5 and I told Mike I wanted to be a chief, so he</p> <p>6 made me CFO.</p> <p>7 Q. Okay. So you became CFO, that may be around</p> <p>8 2008, 2009 time period?</p> <p>9 A. Correct.</p> <p>10 Q. And did your responsibilities change at all</p> <p>11 when you became CFO?</p> <p>12 A. No. No.</p> <p>13 Q. So what were you -- what were you doing then</p> <p>14 as CFO?</p> <p>15 A. I was still doing my same job. I mean, you</p> <p>16 know, the titles were more of a joke than</p> <p>17 anything else.</p> <p>18 Q. And was the company growing at that time?</p> <p>19 A. No, not really. It was very stagnant.</p> <p>20 Q. And then how long were you in that position</p> <p>21 as -- as CFO?</p> <p>22 A. Until I decided I wanted the title of</p> <p>23 president.</p> <p>24 Q. Okay. And when about was that?</p> <p>25 A. Oh, I would say probably '11, '12.</p>
<p style="text-align: right;">Page 14</p> <p>1 A. Yes, I believe it was winter of 2-0 -- excuse</p> <p>2 me, winter of '04.</p> <p>3 Q. And what was your first position with</p> <p>4 MyPillow -- MyPillow in the winter of '04?</p> <p>5 A. I was a salesperson.</p> <p>6 Q. And how did you come into the role as</p> <p>7 salesperson for MyPillow?</p> <p>8 A. Well, I had met Mike, and we were talking,</p> <p>9 and he was doing a log home cabin show in</p> <p>10 downtown Minneapolis, and his son had crapped</p> <p>11 out helping him. So I told him, yeah, I had</p> <p>12 been in sales, so I told him I'd come down</p> <p>13 and help him out, and that's where it all</p> <p>14 began.</p> <p>15 Q. And at the time you started with MyPillow</p> <p>16 in '04, how big was the company?</p> <p>17 A. Very, very small. It was in a garage.</p> <p>18 Q. Okay. So can you say about how many</p> <p>19 employees there were other than -- other than</p> <p>20 yourself?</p> <p>21 A. Two, maybe three.</p> <p>22 Q. And then after working as a salesperson --</p> <p>23 about how long were you in the role of</p> <p>24 salesperson for MyPillow?</p> <p>25 A. I would say probably three or four years.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. And do you recall if you received the title</p> <p>2 as president kind of in connection with the</p> <p>3 company filing its articles of incorporation</p> <p>4 and formal bylaws?</p> <p>5 A. Yes.</p> <p>6 Q. And what was the impetus for that change?</p> <p>7 A. Well, we were trying to make MyPillow more of</p> <p>8 a real company instead of, you know, a</p> <p>9 fly-by-night organization. That's kind of</p> <p>10 extreme to say it that way, but there wasn't</p> <p>11 any structure in the company.</p> <p>12 Mike had his addiction issues, all</p> <p>13 that was going on. And so we got a -- a</p> <p>14 gentleman came into the company by the name</p> <p>15 of Tom Clapp, and he began to argue that we</p> <p>16 really had to have a corporate structure in</p> <p>17 the company, you know, just for, you know,</p> <p>18 the outside world, if anything else. If we</p> <p>19 wanted to get financing or leasing or things</p> <p>20 of that nature, you know, we had to come</p> <p>21 across as a company, a real company.</p> <p>22 Q. And you mentioned Mr. Tom Clapp. Did he then</p> <p>23 have a role with MyPillow?</p> <p>24 A. He was actually CEO at a time. That was the</p> <p>25 title he wanted. He lost that title,</p>

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<p style="text-align: right;">Page 17</p> <p>1 obviously, to Mike. Mike had no idea what 2 all the titles meant, really, back in those 3 days. 4 Q. How did -- are you aware of how Mr. Clapp 5 became involved with the company? 6 A. I -- I am not. Tom just showed up one day. 7 I think they were from the same church and 8 that's how they met. And I would -- you 9 know, Tom must have somehow convinced Mike 10 that he could be an asset. I was -- 11 Q. And -- 12 A. -- most of the time, so... 13 Q. I'm sorry, what was that? 14 A. I said I was on the road most of the time. 15 Q. So were your responsibilities then still 16 based around sales? 17 A. Yes. I mean, I -- about '09 we began to hire 18 more salespeople. And so one of my jobs was 19 not only hiring the salespeople, but then I 20 began setting up the different shows, working 21 with the show promoters, you know, making 22 sure everybody got product and just, you 23 know, the day-to-day operation of running the 24 show department. 25 Q. And when you say, "Show department," what --</p>	<p style="text-align: right;">Page 19</p> <p>1 A. I'm retired now. 2 Q. And when did you retire? 3 A. June of '22. 4 Q. And why -- why did you retire? 5 A. Well, I was 70 years old, and I was just 6 tired of the whole rat race. 7 Q. And when you retired, did you have a 8 replacement, that you're aware of? 9 A. For a while there was, yes. Mike had decided 10 to wind down the show department and 11 eliminate it, and so there was a woman by the 12 name of Jennifer Duneman who ran it until -- 13 I'm thinking -- December of '23. 14 Q. Okay. So I want to just talk -- go back a 15 little bit now and talk about the time you 16 were president from 2012 to June of 2022. I 17 want to look at the bylaws that we were 18 discussing. And we'll put it into the chat. 19 It was previously marked as Exhibit 92. 20 Julie will post it there, and let me know 21 when you have it. 22 A. Article 1. Okay, I see Article 1. 23 Q. You see it there? 24 A. Yes. 25 Q. Okay. So this is a previously-marked</p>
<p style="text-align: right;">Page 18</p> <p>1 what do you mean by that? 2 A. Well, we -- we -- when MyPillow started, our 3 main revenue source was doing home shows, 4 state fairs, county fairs, you know, 5 basically any type of fair or consumer show 6 that we could get into. 7 Q. Okay. And so it was kind of like setting up 8 the logistics for going to the shows and then 9 what you were going to present -- 10 A. Getting the vehicle and getting everything 11 done, everything paid for, yeah. 12 Q. And were those mainly local to the Minnesota 13 area or were you nationwide? 14 A. We were going nationwide. We were heavily in 15 the Midwest to begin with. 16 Q. And at that point in time, other than the 17 shows that you just described, was MyPillow 18 doing any other kind of advertising? 19 A. Mike started to do some television 20 advertising and he was doing some radio work. 21 Other than that, the main source of revenue 22 for the company was the shows. 23 Q. And so then you become president around that 24 2012 time period, I think we said. Are you 25 still president today?</p>	<p style="text-align: right;">Page 20</p> <p>1 deposition exhibit. I'll just say for the 2 record the Bates identifier is 3 DEF030754.000001. 4 And do you recognize this as the 5 bylaws of MyPillow? 6 A. Well, I'm not -- I assume they are. 7 Q. Have you ever seen this before? 8 A. No. 9 Q. I want to -- I want to -- have you seen 10 other -- I guess just to be clear, have you 11 seen any bylaws of MyPillow before? 12 A. I don't remember ever seeing them, no. 13 Q. So you don't have any reason to doubt that 14 these are the bylaws? And I'll represent to 15 you this was produced to us by the defendants 16 in this case. 17 A. I believe you. 18 Q. Okay. Just making sure there wasn't 19 something else you might have had in mind. 20 So if we could flip to page 8 of this 21 document. It'll be both the .008 in the 22 lower right-hand corner and 8 in the middle 23 of the page -- 24 A. Right. Got it. 25 Q. Okay. And do you see there in Article 5.03</p>

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<p style="text-align: right;">Page 21</p> <p>1 it says, "President"?</p> <p>2 A. Yes.</p> <p>3 Q. And, "Unless otherwise provided by resolution</p> <p>4 of the board of directors, the president</p> <p>5 shall be the chief executive officer of the</p> <p>6 corporation and shall, A, have general active</p> <p>7 management of the business of the</p> <p>8 corporation"; do you see that?</p> <p>9 A. Uh-huh. Yes.</p> <p>10 Q. And so do you recognize that as kind of your</p> <p>11 role as the president of MyPillow, Inc.,</p> <p>12 between 2012 and 2022?</p> <p>13 A. Define "business of the corporation."</p> <p>14 Q. What does that mean -- what does that mean to</p> <p>15 you?</p> <p>16 A. Well, first of all, Mike was the CEO of the</p> <p>17 company. He managed the company. I managed</p> <p>18 a division of the company. It was a very</p> <p>19 profitable division of the company and -- but</p> <p>20 I did not run the day-to-day operations of</p> <p>21 the company.</p> <p>22 Q. Okay. And that division of the company that</p> <p>23 you oversaw, that was the show division?</p> <p>24 A. The show division, yes.</p> <p>25 Q. Did your management of the show division</p>	<p style="text-align: right;">Page 23</p> <p>1 manage the marketing to?</p> <p>2 A. Target. That was unsuccessful, but...</p> <p>3 Q. And how would you go about marketing to</p> <p>4 those -- those types of entities?</p> <p>5 A. Pick up the phone and call them.</p> <p>6 Q. And -- and how about direct-to-consumer</p> <p>7 advertising, were you involved at all in</p> <p>8 the -- in the direct-to-consumer advertising</p> <p>9 strategy of MyPillow?</p> <p>10 A. Not really other than, you know, I may -- you</p> <p>11 know, Mike might show it, show it to me and</p> <p>12 get my opinion on it. But I had -- I did not</p> <p>13 have any part in designing it.</p> <p>14 Q. Did -- did Mr. Lindell ever seek your advice</p> <p>15 or input on, you know, what -- what he should</p> <p>16 use for the, kind of, direct-to-consumer</p> <p>17 advertising?</p> <p>18 A. Yeah, it just -- you know, it was pretty much</p> <p>19 he would show you something and, you know,</p> <p>20 did you like it or not, if you didn't like</p> <p>21 it, why.</p> <p>22 Q. Okay. And would he take feedback in that</p> <p>23 regard?</p> <p>24 A. Excuse me?</p> <p>25 Q. Was he open to your feedback in that regard?</p>
<p style="text-align: right;">Page 22</p> <p>1 include any oversight regarding the marketing</p> <p>2 strategy of MyPillow?</p> <p>3 A. Only as it related to the show department.</p> <p>4 Q. And in what -- in what ways -- could you give</p> <p>5 me some examples of the type of marketing</p> <p>6 that the show department would do?</p> <p>7 A. Well, I mean the main thing was, you know,</p> <p>8 like when we began the Costco portion of the</p> <p>9 show department, you know, we had to -- had</p> <p>10 to present to Costco the benefits of carrying</p> <p>11 MyPillow, and I was the main contact between</p> <p>12 MyPillow and Costco, as well as, you know,</p> <p>13 all of the different shows, including -- you</p> <p>14 know, all the state fairs, everything.</p> <p>15 It was a daunting task, believe me.</p> <p>16 Q. Oh, I'm sure. I'm sure. I'm just trying</p> <p>17 to -- I just -- you know, we know your title</p> <p>18 as president, and so we're just trying to</p> <p>19 understand what exactly that entails, what</p> <p>20 your role was.</p> <p>21 So you oversaw kind of the marketing</p> <p>22 to Costco. Are there any other -- like,</p> <p>23 outside of state fair shows and those types</p> <p>24 of activities you mentioned, and like Costco,</p> <p>25 were there other retailers that you would</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Seldom.</p> <p>2 Q. So is it fair to say you reported to</p> <p>3 Mike Lindell then when -- as president?</p> <p>4 A. Yes.</p> <p>5 Q. And I'm assuming that you had a number of</p> <p>6 people reporting to you; is that fair?</p> <p>7 A. Correct.</p> <p>8 Q. About how many people do you recall</p> <p>9 overseeing in the, you know, kind of 2019 to</p> <p>10 2022 time frame?</p> <p>11 A. Oh, I'd say about a 150.</p> <p>12 Q. And are there -- was there a hierarchy there</p> <p>13 underneath you, so, like, there's 150 flowing</p> <p>14 down, but some direct reports --</p> <p>15 A. Yeah, I had -- I probably had two or three</p> <p>16 people that reported directly to me.</p> <p>17 Q. Do you recall who those -- who those people</p> <p>18 were?</p> <p>19 A. Names?</p> <p>20 Q. If you recall. Or positions.</p> <p>21 A. Jennifer Duneman, she was basically the lead</p> <p>22 administrator. God, I got Sherry Miles on my</p> <p>23 mind, and that wasn't the person I was</p> <p>24 thinking of. How easily you forget.</p> <p>25 But Jennifer was the main person that</p>

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<p style="text-align: right;">Page 25</p> <p>1 they would go to to get to me. The other</p> <p>2 folks were -- if I can look at my phone for a</p> <p>3 second, I can give you the names.</p> <p>4 Q. Oh, so you have, like, a list of contacts?</p> <p>5 A. Yeah.</p> <p>6 Q. Sure. Yeah, that's fine.</p> <p>7 A. Larry Howard, Timothy Schmeig. You're going</p> <p>8 to ask me how to spell that, aren't you?</p> <p>9 Q. The court reporter likely will, if not now,</p> <p>10 then when we go on a break.</p> <p>11 A. Schmeig, it's S-C-H-M-E-I-G.</p> <p>12 Q. Thank you.</p> <p>13 And what types of work were the --</p> <p>14 were the people underneath you engaged in?</p> <p>15 A. Jennifer was -- she -- she was Madam</p> <p>16 Organization. She was very meticulous, very</p> <p>17 organized. And there were so many small</p> <p>18 details that had to be addressed in all the</p> <p>19 different areas, and she was just incredible</p> <p>20 at it.</p> <p>21 The other two basically dealt with --</p> <p>22 a lot with the salespeople. If there was a</p> <p>23 problem, they'd come to them first. And if</p> <p>24 they couldn't handle it, they would go to me.</p> <p>25 Q. Got it. Got it. Okay.</p>	<p style="text-align: right;">Page 27</p> <p>1 you also a member of the MyPillow board of</p> <p>2 directors?</p> <p>3 A. Yes.</p> <p>4 Q. And are you still a member of the board of</p> <p>5 directors today?</p> <p>6 A. Yes.</p> <p>7 Q. Do you recall when you first joined the board</p> <p>8 of directors?</p> <p>9 A. I don't recall the year, really. It was part</p> <p>10 of the let's make this a real corporation</p> <p>11 move.</p> <p>12 Q. So maybe if you look at the bylaws there and</p> <p>13 you flip to, I guess, page -- page 13, it</p> <p>14 indicates that this is dated July 31st, 2009.</p> <p>15 So maybe sometime around then?</p> <p>16 A. Yes.</p> <p>17 Q. And as --</p> <p>18 A. Can I --</p> <p>19 Q. Go ahead.</p> <p>20 A. Are you sure this is the latest version?</p> <p>21 Q. Well, this is what -- this is what was -- was</p> <p>22 produced to us, so that's what we're basing</p> <p>23 it on. If you think there's a more recent</p> <p>24 version, I'd be interested in that.</p> <p>25 A. I just -- it just seems like '09 was such a</p>
<p style="text-align: right;">Page 26</p> <p>1 So then that was your role as</p> <p>2 president. I want to talk a little bit about</p> <p>3 kind of the other roles you may have had with</p> <p>4 MyPillow, the first being are you a</p> <p>5 shareholder in MyPillow?</p> <p>6 A. Yes.</p> <p>7 Q. Do you recall when you became a shareholder?</p> <p>8 A. I was one of the original shareholders.</p> <p>9 Probably '06, '07.</p> <p>10 Q. And do you know how many shares of MyPillow</p> <p>11 stock you currently own?</p> <p>12 A. Around a hundred thousand.</p> <p>13 Q. And as a shareholder of MyPillow, are you --</p> <p>14 do you ever attend shareholder meetings?</p> <p>15 A. No.</p> <p>16 Q. Is that because there aren't shareholder</p> <p>17 meetings or because you choose not to attend?</p> <p>18 A. There aren't shareholder meetings.</p> <p>19 Q. Do you recall when, if ever, the last</p> <p>20 shareholder meeting was?</p> <p>21 A. 2012.</p> <p>22 Q. Do you ever -- are you ever requested to vote</p> <p>23 as a shareholder of MyPillow?</p> <p>24 A. Not that I recall.</p> <p>25 Q. And in addition to being a shareholder, are</p>	<p style="text-align: right;">Page 28</p> <p>1 long time ago. Okay. I'm just curious.</p> <p>2 Q. And there are -- if you continue to scroll</p> <p>3 through this exhibit, you'll see that there's</p> <p>4 certain amendments that take place, you know,</p> <p>5 over the -- on page 15 there's an amendment</p> <p>6 on June 1st, 2015.</p> <p>7 A. Uh-huh.</p> <p>8 Q. And then if you go to page 19, there's</p> <p>9 another amendment, October 5th, 2021.</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And that 2021 amendment increases the</p> <p>13 number of the board of directors to no more</p> <p>14 than 12.</p> <p>15 A. Right. This is the most recent. I can tell</p> <p>16 by the names and the dates.</p> <p>17 Q. So as a -- as a board member of MyPillow, do</p> <p>18 you attend meetings, director meetings in</p> <p>19 that capacity?</p> <p>20 A. Yes.</p> <p>21 Q. And how often does the board of directors of</p> <p>22 MyPillow meet?</p> <p>23 A. Well, we haven't had a meeting in a while.</p> <p>24 Normally, it had been every -- about twice a</p> <p>25 year.</p>

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<p style="text-align: right;">Page 29</p> <p>1 Q. Has the board had any meetings thus far in 2 2024? 3 A. No. 4 Q. Do you recall if the board met at all in 5 2023? 6 A. No. 7 Q. I'm sorry, no, you don't recall or no -- 8 A. No, we did not meet. I'm sorry. 9 Q. That's okay. It was a poor question on my 10 side. 11 Did the board meet at all in 2022? 12 A. Yes. 13 Q. And do you recall how many times the board 14 met in 2022? 15 A. I only recall once. 16 Q. Do you know when about that was? 17 A. Well, I was there in person, so it couldn't 18 have been in the winter. So it must have 19 been in the spring sometime. 20 Q. And do you recall what was discussed at that 21 meeting in the spring, at that board of 22 directors meeting in the spring of 2022? 23 A. I'd have to see the itinerary. 24 Q. And in that regard, you know, when there is a 25 board meeting, do you receive an agenda for</p>	<p style="text-align: right;">Page 31</p> <p>1 Just -- we always tried to keep it as focused 2 as possible on MyPillow. 3 Q. And when you say, "As focused as possible on 4 MyPillow," what do you mean by that, as 5 opposed to -- 6 A. Well, Mike was known to go down rabbit holes, 7 and it can take a two-hour meeting into a 8 six-hour meeting. And we were always very 9 keen on let's just get it done and get out of 10 here. 11 Q. Okay. I want to look at -- it's the same 12 document, these bylaws here. If you look at 13 Article 3, which is on page 4 of the 14 document. 15 A. Four? 16 Q. Page 4. 17 A. Okay. Article 3. Okay. 18 Q. And do you see there 3.01 is, "Duties"? 19 A. Uh-huh. Yes. 20 Q. It says, "The board of directors shall manage 21 the business and affairs of the corporation," 22 and then it gives kind of three specific 23 things -- 24 A. Yes. 25 Q. -- about what that means, right? Do you see</p>
<p style="text-align: right;">Page 30</p> <p>1 that meeting ahead of time? 2 A. Yes. 3 Q. And how is that agenda delivered to you? 4 A. At the meeting. Well, sometimes we'd get an 5 advanced copy email as well. 6 Q. And is there -- are there minutes circulated 7 of that board meeting after it's complete? 8 A. Yes. 9 Q. So there was a meeting sometime in the spring 10 of 2022. 11 Do you recall any meetings, any board 12 of directors meetings in 2021? 13 A. I know that we had them, but I don't recall 14 when. 15 Q. And we'll look -- later this afternoon we'll 16 look at a couple of minutes that we do have 17 from those meetings and that might refresh 18 your recollection. 19 In terms of responsibilities, duties 20 and responsibilities as a board member, what 21 do you understand those to be? 22 A. Well, I think that, you know, we would just 23 approve various amendments, go through the 24 important business, talk about if there were 25 lawsuits, what was going on with those.</p>	<p style="text-align: right;">Page 32</p> <p>1 that? 2 So did you understand -- or do you 3 understand that as a board member of 4 MyPillow, Inc., you have the authority and 5 the duty to manage the business and affairs 6 of the corporation? 7 A. Yes. 8 Q. And then if we look at the three subsets, so 9 3.01(a) says the board has the duty and power 10 to borrow money for the corporation and to 11 make, execute and issue mortgages, bonds, 12 deeds of trusts, et cetera. 13 Do you see that? 14 A. Yes. 15 Q. And do you understand that you do have that 16 power and duty as a board member of 17 MyPillow, Inc.? 18 A. Yes. 19 Q. And then the next one there, 3.01(b), is to 20 enter into such contracts as may be necessary 21 or appropriate for the conduct of affairs of 22 the corporation. 23 Do you see that? 24 A. Yes. 25 Q. And so do you understand that as a -- as a</p>

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<p style="text-align: right;">Page 33</p> <p>1 board member of MyPillow, Inc., you have the</p> <p>2 duty and the power to enter into contracts</p> <p>3 necessary and appropriate for the conduct of</p> <p>4 the affairs of the corporation?</p> <p>5 A. If there's a vote in favor, yes.</p> <p>6 Q. Not you yourself individually, but as a board</p> <p>7 member.</p> <p>8 A. If I vote yes, yes.</p> <p>9 Q. And do you recall any instances in which</p> <p>10 you -- the board has voted on entering into</p> <p>11 contracts on behalf of MyPillow?</p> <p>12 A. Yes.</p> <p>13 Q. What's the most recent contract you recall</p> <p>14 the board entering into?</p> <p>15 A. You know, if I had the agendas, it would sure</p> <p>16 help.</p> <p>17 Q. I understand, Mr. Furlong, and I agree. To</p> <p>18 be honest with you, we've requested them and</p> <p>19 they haven't been -- only a couple of them</p> <p>20 have been provided so --</p> <p>21 A. Okay. I wish I was in Minnesota, because I</p> <p>22 have them all in files.</p> <p>23 I know that we voted on some computer</p> <p>24 programs, some purchases of robots for</p> <p>25 production.</p>	<p style="text-align: right;">Page 35</p> <p>1 worked with MyPillow directly for quite a</p> <p>2 while.</p> <p>3 Q. Could that be Telebrands?</p> <p>4 A. Telebrands, there you go.</p> <p>5 Q. Okay.</p> <p>6 A. You know the answers before you ask them,</p> <p>7 don't you?</p> <p>8 Q. My colleague does.</p> <p>9 Okay. Do you -- do you recall ever</p> <p>10 entering into an advertising contract with an</p> <p>11 entity called FrankSpeech?</p> <p>12 A. With FrankSpeech?</p> <p>13 Q. Correct.</p> <p>14 A. I do not recall that. I mean, I know what</p> <p>15 FrankSpeech is, but I don't remember the --</p> <p>16 the contract.</p> <p>17 Q. We'll look at some -- some board minutes on</p> <p>18 that topic later and we'll talk about it.</p> <p>19 A. I have a feeling you have the answer, yeah.</p> <p>20 Q. Just going back generally, I guess, who</p> <p>21 typically kind of leads or MCs the board of</p> <p>22 directors meetings of MyPillow?</p> <p>23 A. Mike.</p> <p>24 Q. And does -- does Mr. Lindell also put</p> <p>25 proposals up for votes? Is it his role to do</p>
<p style="text-align: right;">Page 34</p> <p>1 But if I had the -- if I had the</p> <p>2 agenda, it would sure help. I mean, this --</p> <p>3 it was a long time ago.</p> <p>4 Q. I understand.</p> <p>5 Do you -- do you recall entering into</p> <p>6 any advertising contracts on behalf of</p> <p>7 MyPillow?</p> <p>8 A. They were discussed at the meetings and voted</p> <p>9 on in the meetings.</p> <p>10 Q. They were?</p> <p>11 A. They were approved at the meetings, yes.</p> <p>12 Q. Okay. And what -- do you recall entering</p> <p>13 into any advertising contracts on behalf of</p> <p>14 MyPillow in 2020 or 2021?</p> <p>15 A. No, I don't.</p> <p>16 Q. What's the most recent, I guess, advertising</p> <p>17 contract you recall voting on?</p> <p>18 A. We had a company that was run by a guy by the</p> <p>19 name of Mark Jones that set up all of the ads</p> <p>20 for, you know, Fox and all of the different</p> <p>21 television and radio, and we voted on if we</p> <p>22 wanted to continue with him or not. I guess</p> <p>23 that's the most recent.</p> <p>24 I think they're still using him. I</p> <p>25 forget the company name that he had, but he</p>	<p style="text-align: right;">Page 36</p> <p>1 that?</p> <p>2 A. Yes.</p> <p>3 Q. And what's the process then for the board</p> <p>4 making decisions after Mr. Lindell puts a</p> <p>5 proposal up for vote?</p> <p>6 A. Well, many times you vote on it and, you</p> <p>7 know, Mike makes most of the decisions</p> <p>8 himself.</p> <p>9 Q. Is that like without -- without board vote,</p> <p>10 or is it he kind of tells the board how to</p> <p>11 vote?</p> <p>12 A. He does a lot of things without the board's</p> <p>13 approval, yes.</p> <p>14 Q. I want to look at maybe one potential example</p> <p>15 of this. And we're going to put into the</p> <p>16 chat what was previously marked as</p> <p>17 Exhibit 93. It might take a second. I'll</p> <p>18 represent to you --</p> <p>19 A. Wrong button. Which one am I opening?</p> <p>20 Q. It's -- it says number 12, book Exhibit 93.</p> <p>21 A. I did it again, I hit the wrong one. All</p> <p>22 right. It's a slow process, but it's coming.</p> <p>23 It's downloading.</p> <p>24 Q. No problem.</p> <p>25 A. Click to open. That's a scary picture.</p>

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<p style="text-align: right;">Page 37</p> <p>1 All right. Go ahead.</p> <p>2 Q. Okay. So I'll represent to you that this is</p> <p>3 Mr. Lindell's book that was published.</p> <p>4 Do you recognize the cover page --</p> <p>5 A. Yes.</p> <p>6 Q. -- of the book?</p> <p>7 Okay. And I don't want to talk about</p> <p>8 too much of this book other than I'd like to</p> <p>9 go to page 367.</p> <p>10 A. 367.</p> <p>11 Q. It's Chapter 43.</p> <p>12 A. 367. Okay.</p> <p>13 Q. Okay. And I'll give you a minute, if you</p> <p>14 just want to kind of review that page and the</p> <p>15 top of the next page, and I just want to ask</p> <p>16 you a couple of questions about what</p> <p>17 Mr. Lindell is describing here.</p> <p>18 A. (Reviews document.)</p> <p>19 How far do you want me to read the</p> <p>20 next page?</p> <p>21 Q. Oh, just the top --</p> <p>22 A. Okay.</p> <p>23 Q. -- top three paragraphs.</p> <p>24 Do you recall -- so in this</p> <p>25 Chapter 43 here of his book, Mr. Lindell</p>	<p style="text-align: right;">Page 39</p> <p>1 publicly supporting Mr. Trump?</p> <p>2 A. Oh, yeah. Major trouble. Major trouble.</p> <p>3 Q. Major trouble, did you say? I'm sorry?</p> <p>4 A. No, I was extremely upset by it. I thought</p> <p>5 it was a terrible mistake. And it was the</p> <p>6 beginning of the downfall of MyPillow.</p> <p>7 Q. Did you -- did you share those views with</p> <p>8 Mr. Lindell?</p> <p>9 A. I -- I did inform that I thought it was a</p> <p>10 serious mistake, yes. And I didn't give a</p> <p>11 shit what he thought about God coming to save</p> <p>12 MyPillow. It was a bunch of bullshit.</p> <p>13 Q. And did any other -- any other board members</p> <p>14 share their opinions with Mr. Lindell?</p> <p>15 A. Well, Joe did, the attorney. He was the only</p> <p>16 other smart one in the room.</p> <p>17 Q. I'm sorry, you said Joe --</p> <p>18 A. Joe Springer was our corporate attorney at</p> <p>19 the time.</p> <p>20 Q. Okay. And do you recall whether the board</p> <p>21 took any kind of vote or action in response</p> <p>22 to Mr. Lindell's intentions?</p> <p>23 A. No. Mike said he was going to do it, and if</p> <p>24 we didn't like it, that was just too bad.</p> <p>25 Q. And was -- strike that.</p>
<p style="text-align: right;">Page 38</p> <p>1 writes about meeting Donald Trump in the</p> <p>2 summer of 2016 and deciding to support his</p> <p>3 candidacy, right?</p> <p>4 A. I'm sorry, was there a question?</p> <p>5 Q. Do you agree that that's kind of what</p> <p>6 Mr. Lindell is writing about here in this</p> <p>7 Chapter 43?</p> <p>8 A. Yes.</p> <p>9 Q. And he also discusses in the third paragraph</p> <p>10 on the first page that he told the MyPillow</p> <p>11 board about his meeting with then-candidate</p> <p>12 Trump and that he decided he was going to go</p> <p>13 all in to get -- help get him elected.</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. Do you recall that board meeting?</p> <p>17 A. Yes.</p> <p>18 Q. What do you -- what do you recall about the</p> <p>19 meeting?</p> <p>20 A. That I wanted to throw up.</p> <p>21 Q. And why is that?</p> <p>22 A. Because I have a very strong dislike for</p> <p>23 Mr. Trump.</p> <p>24 Q. Did you have any -- any views on the CEO of</p> <p>25 the company you're a board of kind of</p>	<p style="text-align: right;">Page 40</p> <p>1 So did -- following that, I believe,</p> <p>2 if you look at the second page of the</p> <p>3 document, then, or page 368, Mr. Lindell</p> <p>4 writes, "The next day I did the press</p> <p>5 release," and so he's indicating there,</p> <p>6 right, that he went ahead with issuing a</p> <p>7 press release stating he was in support of</p> <p>8 then-candidate Trump?</p> <p>9 Do you recall that?</p> <p>10 A. I recall it, yes.</p> <p>11 Q. And you said yourself and Mr. Springer kind</p> <p>12 of spoke out against it, but none of the</p> <p>13 other board members did?</p> <p>14 A. No. That's the advantage when you -- you</p> <p>15 know, when you have a board member that -- a</p> <p>16 board where the chairman signs your paycheck,</p> <p>17 it's difficult to disagree.</p> <p>18 Q. So in your opinion, then, does Mr. Lindell</p> <p>19 effectively control the board --</p> <p>20 A. Yes.</p> <p>21 Q. -- of MyPillow?</p> <p>22 A. Yes.</p> <p>23 MR. KACHOUROFF: We'll stipulate</p> <p>24 to that.</p> <p>25 BY MR. FREY:</p>

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<p style="text-align: right;">Page 41</p> <p>1 Q. And in the -- in the short-term -- or not in</p> <p>2 the short-term, but following Mr. Lindell's</p> <p>3 decision and the board's going along with,</p> <p>4 I'll say, the support of then-candidate Trump</p> <p>5 and then President Trump, in some respects,</p> <p>6 that was actually helpful to MyPillow's</p> <p>7 business, right?</p> <p>8 A. I would disagree with that.</p> <p>9 Q. And this is, I'm talking about, in between</p> <p>10 2016 and 2020.</p> <p>11 A. I would still disagree with that.</p> <p>12 Q. And why is that?</p> <p>13 A. Things began to change when Mike began to</p> <p>14 support Trump. And, you know, one of the</p> <p>15 major rules of business is never support a</p> <p>16 political candidate, because immediately you</p> <p>17 lose a large percentage of your potential</p> <p>18 customers. And that was the case here.</p> <p>19 Mr. Trump creates so many emotions,</p> <p>20 so much discontent and hatred that would come</p> <p>21 across in our shows. We would have stuff</p> <p>22 thrown at us, we'd be spit at. I mean, it --</p> <p>23 people would buy our pillows and rip them up</p> <p>24 and return them.</p> <p>25 I mean, it was -- it just continued</p>	<p style="text-align: right;">Page 43</p> <p>1 bit for a second and talk about what you know</p> <p>2 about the company -- or the corporation</p> <p>3 Lindell Management.</p> <p>4 Are you familiar with an entity</p> <p>5 called Lindell Management?</p> <p>6 A. The name only.</p> <p>7 Q. So you've never been employed by</p> <p>8 Lindell Management?</p> <p>9 A. No, I was not.</p> <p>10 Q. Have you ever received any compensation from</p> <p>11 Lindell Management?</p> <p>12 A. I did not.</p> <p>13 Q. That makes that one quick.</p> <p>14 Okay. So moving forward then, so in</p> <p>15 2016 Mr. Lindell says he's going to support</p> <p>16 then-candidate Trump for president, raises</p> <p>17 the issue to the board, you disagree,</p> <p>18 Mr. Springer disagrees, but Mr. Lindell goes</p> <p>19 ahead with it and kind of ties himself and</p> <p>20 the brand to President Trump, correct?</p> <p>21 A. Correct.</p> <p>22 MR. KACHOUROFF: Objection to</p> <p>23 form.</p> <p>24 You can answer.</p> <p>25 BY MR. FREY:</p>
<p style="text-align: right;">Page 42</p> <p>1 and got worse and worse and worse. And we</p> <p>2 were losing employees. We were losing sales</p> <p>3 because of it. Ultimately, we lost Costco</p> <p>4 because of it, simply because -- Costco is a</p> <p>5 great company, and they really care what</p> <p>6 their customers say and how they feel, and</p> <p>7 they were getting a huge pushback from their</p> <p>8 clients about MyPillow being in their stores.</p> <p>9 And you saw it in the numbers. The numbers</p> <p>10 began to drop, and eventually Costco said,</p> <p>11 Bye. And that was millions of dollars a</p> <p>12 year.</p> <p>13 Q. And in your recollection, this began in and</p> <p>14 around 2016?</p> <p>15 A. Yes. Virtually, when Mike publicly came out</p> <p>16 supporting Donald Trump, you know, the</p> <p>17 problems really began.</p> <p>18 Q. And it sounds like, in your experience then,</p> <p>19 that's because people associated if</p> <p>20 Mike Lindell supported something, that it was</p> <p>21 MyPillow supporting that as well; is that</p> <p>22 fair?</p> <p>23 A. They were taking their frustration out on our</p> <p>24 people.</p> <p>25 Q. Okay. I want to change gears just a little</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. And then moving forward to the -- the 2020</p> <p>2 election, November 2020 election, are you</p> <p>3 familiar with the election between</p> <p>4 President Joe Biden and former</p> <p>5 President Trump in November 2020?</p> <p>6 A. Yes.</p> <p>7 Q. And is it your understanding that Joe Biden</p> <p>8 was certified as the winner of that</p> <p>9 November 2020 election?</p> <p>10 A. Yes.</p> <p>11 Q. And do you believe that Joe Biden was the</p> <p>12 legitimate winner of the November 2020</p> <p>13 election?</p> <p>14 A. Yes.</p> <p>15 Q. At that time immediately following the</p> <p>16 November 2020 election, did you discuss with</p> <p>17 Mr. Lindell whether Joe Biden had</p> <p>18 legitimately won the 2020 election?</p> <p>19 A. I would say I listened more than discussed.</p> <p>20 Q. And what do you mean by that?</p> <p>21 A. Well, I didn't agree with his position. I</p> <p>22 didn't agree that the election was stolen. I</p> <p>23 voted for Biden. But with Mike, sometimes</p> <p>24 you just kind of, you know, just let him go.</p> <p>25 Because especially -- you know, him and I</p>

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<p style="text-align: right;">Page 45</p> <p>1 have a lot of history together, and it -- you</p> <p>2 know, something I felt this passionate about,</p> <p>3 you know, could ruin our friendship. And I</p> <p>4 do treasure Mike as a friend, and it just</p> <p>5 wasn't worth ruining that friendship over a</p> <p>6 piece of shit like Trump.</p> <p>7 Q. Okay. Did Mr. Lindell tell you why he</p> <p>8 believed that Donald Trump had won the</p> <p>9 election?</p> <p>10 A. You know, he had all kinds of crazy theories,</p> <p>11 you know. And, obviously, the machines were</p> <p>12 a big part of that. And, you know, my theory</p> <p>13 was, okay, prove it, show me the proof. And</p> <p>14 there is none, there was none, there never</p> <p>15 will be any.</p> <p>16 Q. So you challenged Mr. Lindell to show you the</p> <p>17 proof and he did not?</p> <p>18 A. Right. You know, because he lost case after</p> <p>19 case after case after case, every recount</p> <p>20 came out the same.</p> <p>21 MR. KACHOUROFF: I have a quick</p> <p>22 objection to the form of the question. I'm</p> <p>23 sorry.</p> <p>24 BY MR. FREY:</p> <p>25 Q. You can go on, Mr. Furlong.</p>	<p style="text-align: right;">Page 47</p> <p>1 THE COURT REPORTER: That's</p> <p>2 correct.</p> <p>3 BY MR. FREY:</p> <p>4 Q. Okay. This will be marked as Exhibit 667.</p> <p>5 Just let me know when you have that pulled</p> <p>6 up.</p> <p>7 (Exhibit 667 marked.)</p> <p>8 THE WITNESS: It must be this one</p> <p>9 here. There it is again. Yep. Okay, I got</p> <p>10 it.</p> <p>11 BY MR. FREY:</p> <p>12 Q. Okay. And you see that this is an archived</p> <p>13 version of an article that appeared in the</p> <p>14 Star Tribune titled, Mike Lindell's biggest</p> <p>15 gamble: Giving hard sell to baseless</p> <p>16 election fraud claims?</p> <p>17 A. Yes.</p> <p>18 Q. And I'll represent to you that in archiving</p> <p>19 this, sometimes there's text repeated at the</p> <p>20 top or bottom of the pages because of</p> <p>21 advertisements, so it can be a little tricky</p> <p>22 to look at. But just letting you know that's</p> <p>23 what it is.</p> <p>24 And on page 3 of this article, right</p> <p>25 above the advertisement that says, "Save</p>
<p style="text-align: right;">Page 46</p> <p>1 A. No, I just -- that's all I'm saying, okay,</p> <p>2 show me the proof. And there really hasn't</p> <p>3 been any. And that's the end of my</p> <p>4 discussion with him about it. And he still</p> <p>5 goes on about this and that, but I just go,</p> <p>6 Yeah, Mike.</p> <p>7 Q. And did Mr. Lindell tell you, around that</p> <p>8 time, that he was intending to make public</p> <p>9 appearances and statements regarding his</p> <p>10 theories of election fraud?</p> <p>11 A. Well, I obviously saw it on television and on</p> <p>12 the internet. I would search it every couple</p> <p>13 of days to see what, you know, crazy stuff</p> <p>14 was going on.</p> <p>15 Q. But he didn't discuss it with you ahead of</p> <p>16 time?</p> <p>17 A. No, he did not.</p> <p>18 Q. I want to look briefly at an article that was</p> <p>19 published in the Star Tribune kind of related</p> <p>20 to Mr. Lindell's public statements and</p> <p>21 appearances that has some quotes for you --</p> <p>22 from you.</p> <p>23 So we're going to post in the chat</p> <p>24 here what will be marked as Exhibit 667, I</p> <p>25 believe.</p>	<p style="text-align: right;">Page 48</p> <p>1 Energy with Lighting," the article quotes,</p> <p>2 "He talks in his book about how he was always</p> <p>3 striving for acceptance, said Jim Furlong, a</p> <p>4 longtime friend who is president of MyPillow.</p> <p>5 He was accepted by the most powerful man in</p> <p>6 the world. What greater validation is there</p> <p>7 than that?"</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. And do you recognize this paragraph as</p> <p>11 quoting you?</p> <p>12 A. Yes.</p> <p>13 Q. And do you recall being interviewed for this</p> <p>14 article?</p> <p>15 A. I must have been. I don't recall it.</p> <p>16 Q. Do you have any reason to doubt that you were</p> <p>17 or that this article is quoting you</p> <p>18 accurately?</p> <p>19 A. I have no reason to doubt it, no.</p> <p>20 Q. So I want to look at page 9. And at the</p> <p>21 bottom there under the picture of Mr. Lindell</p> <p>22 there's a heading, "Doubts and conviction."</p> <p>23 A. I think I'm on page 10, sorry. Okay.</p> <p>24 Q. It says, "Around the election, Lindell spent</p> <p>25 a couple of hours during a flight on his</p>

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<p style="text-align: right;">Page 49</p> <p>1 private plane arguing about election fraud</p> <p>2 with Furlong, a democrat. The more you say</p> <p>3 no to him, Furlong said, the stronger his</p> <p>4 commitment becomes."</p> <p>5 Do you see that?</p> <p>6 A. Right.</p> <p>7 Q. Do you recall the incident that's described</p> <p>8 here in this article?</p> <p>9 A. Flying in a small airplane with Lindell,</p> <p>10 you'd never forget it. Yes, I do remember it</p> <p>11 distinctly.</p> <p>12 Q. Okay. And do you recall arguing about</p> <p>13 election fraud with Mr. Lindell at this time?</p> <p>14 A. Yeah. Yes.</p> <p>15 Q. And was this along the lines of what you</p> <p>16 discussed before where he would tell you his</p> <p>17 theories and you would say, Show me the</p> <p>18 proof?</p> <p>19 A. Yes.</p> <p>20 Q. Do you recall anything else, you know,</p> <p>21 anything additional about that conversation?</p> <p>22 A. I'm sorry, what was the date of this</p> <p>23 publication?</p> <p>24 Q. Oh, this is March 12th, 2021. It's on the</p> <p>25 first page there --</p>	<p style="text-align: right;">Page 51</p> <p>1 Q. What do you mean by that?</p> <p>2 A. If you say no to Mike, it will usually</p> <p>3 empower him to keep on going. He gets</p> <p>4 something locked in and good luck trying to</p> <p>5 change his mind.</p> <p>6 Q. And in your personal experience with</p> <p>7 Mr. Lindell, if you said no to him and he's</p> <p>8 locked in, would he be willing to change his</p> <p>9 mind?</p> <p>10 A. The thing with Mike is you have to get him to</p> <p>11 listen to reason or listen to the other side</p> <p>12 of the story. And the only way to do that is</p> <p>13 to let him run on and on about whatever the</p> <p>14 issue is until he would run out of his gas,</p> <p>15 and then you would have the opportunity to</p> <p>16 come in and say, Okay, you know, this and</p> <p>17 this and this is what happened and/or is</p> <p>18 going to happen.</p> <p>19 And but with this particular issue,</p> <p>20 the election being stolen and the machines,</p> <p>21 he -- you know, there is -- he's not going to</p> <p>22 listen to reason. It's a firm commitment.</p> <p>23 MR. FREY: Mr. Furlong, we've been</p> <p>24 going just over an hour, so let's take a</p> <p>25 quick, maybe, five-minute break and then come</p>
<p style="text-align: right;">Page 50</p> <p>1 A. Okay.</p> <p>2 Q. -- right above the photo.</p> <p>3 A. Okay. I was just thinking of a number of</p> <p>4 things, so I forgot the original question.</p> <p>5 Q. Oh, I was just going to say is there</p> <p>6 anything, you know, additional you remember</p> <p>7 about this conversation other than what</p> <p>8 you've kind of previously described as your</p> <p>9 general conversations with Mr. Lindell about</p> <p>10 his theories of election fraud?</p> <p>11 A. Well, yeah, I mean, we talked about the</p> <p>12 election fraud. But we talked about other</p> <p>13 things too, you know, disagreements about</p> <p>14 other things that Mr. Trump had done and not</p> <p>15 done and just my, you know, general distrust</p> <p>16 of the man.</p> <p>17 As far as the election fraud thing, I</p> <p>18 was very strongly against it, and I let Mike</p> <p>19 just run on and on and, you know, it wasn't</p> <p>20 going to change my opinion at all.</p> <p>21 Q. And this quotes you here as saying, "The more</p> <p>22 you say," quote, "no to him, the stronger his</p> <p>23 commitment becomes."</p> <p>24 Do you see that?</p> <p>25 A. Yes. Mike doesn't like the word "no."</p>	<p style="text-align: right;">Page 52</p> <p>1 back.</p> <p>2 Does that work for you?</p> <p>3 THE WITNESS: That would be great.</p> <p>4 THE VIDEOGRAPHER: We are now off</p> <p>5 the record. The time is 2:10 p.m.</p> <p>6 (Recess.)</p> <p>7 THE VIDEOGRAPHER: We are back on</p> <p>8 the record. The time is 2:19 p.m.</p> <p>9 BY MR. FREY:</p> <p>10 Q. Okay, Mr. Furlong, we're back on the record.</p> <p>11 And before the break we were -- we were</p> <p>12 talking about Mr. Lindell's views on the</p> <p>13 election and the kind of statements you made</p> <p>14 in this Star Tribune article.</p> <p>15 I just wanted to keep going on that a</p> <p>16 little bit to say that -- or to ask whether</p> <p>17 you were aware, following kind of those</p> <p>18 initial conversations you had with</p> <p>19 Mr. Lindell after the election, that</p> <p>20 Mr. Lindell did go out and make public</p> <p>21 appearances in which he stated the 2020</p> <p>22 election was rigged and that Donald Trump was</p> <p>23 the rightful winner?</p> <p>24 A. Did I know that?</p> <p>25 Q. Were you aware of that, yeah, when he was --</p>

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<p style="text-align: right;">Page 53</p> <p>1 A. I was aware of that, yes.</p> <p>2 Q. And were you aware that he attended the</p> <p>3 March for Trump bus tour?</p> <p>4 A. Could you repeat that?</p> <p>5 Q. Were you aware that he attended the</p> <p>6 March for Trump bus tour?</p> <p>7 A. No.</p> <p>8 Q. Did you ever see the March for Trump bus?</p> <p>9 A. No.</p> <p>10 Q. We'll post in the -- in the chat box here</p> <p>11 what was previously marked as Exhibit 659.</p> <p>12 Let me know when you have it.</p> <p>13 A. Yeah, I got it.</p> <p>14 Q. And do you see on that -- and I'll represent</p> <p>15 to you that this is a Page Vault capture of a</p> <p>16 website that has a photo of the March for</p> <p>17 Trump bus.</p> <p>18 Do you see there on the -- on the bus</p> <p>19 under the driver's side window there's a</p> <p>20 MyPillow logo?</p> <p>21 A. I see that.</p> <p>22 Q. As the -- as the president of MyPillow at the</p> <p>23 time, did you approve of having the MyPillow</p> <p>24 logo displayed on the March for Trump bus?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 55</p> <p>1 the record. The time is 2:23 p.m.</p> <p>2 (Recess.)</p> <p>3 THE VIDEOGRAPHER: We are back on</p> <p>4 the record. The time is 2:24 p.m.</p> <p>5 BY MR. FREY:</p> <p>6 Q. Okay, Mr. Furlong, my colleague has shared</p> <p>7 her screen and is going to play a clip from</p> <p>8 the Absolute Proof documentary. This was</p> <p>9 previously marked as an exhibit in this case.</p> <p>10 (Exhibit 669 introduced.)</p> <p>11 (Video playing.)</p> <p>12 MIKE LINDELL: "Hello everyone.</p> <p>13 This is Mike Lindell, the CEO of MyPillow.</p> <p>14 As you all know, I have been attacked the</p> <p>15 last month relentlessly on social media, by</p> <p>16 newspapers, by TV shows, by you name it, I've</p> <p>17 been attacked."</p> <p>18 (Video stopped.)</p> <p>19 BY MR. FREY:</p> <p>20 Q. Mr. Furlong, do you recognize Mr. Lindell</p> <p>21 there?</p> <p>22 A. Yes.</p> <p>23 Q. And Mr. Lindell identifies himself as the CEO</p> <p>24 of MyPillow at the start of that clip,</p> <p>25 correct?</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. Do you know whether the board approved the my</p> <p>2 logo -- or the MyPillow logo being placed on</p> <p>3 the March for Trump bus?</p> <p>4 A. No.</p> <p>5 Q. Do you know whether -- or do you recall</p> <p>6 whether the board ever discussed whether the</p> <p>7 MyPillow logo would be placed there?</p> <p>8 A. I don't recall that ever being discussed.</p> <p>9 Q. Are you aware that Mr. Lindell also published</p> <p>10 a series of documentaries in 2021 related to</p> <p>11 voting machines and the outcome of the 2020</p> <p>12 presidential election?</p> <p>13 A. Yes.</p> <p>14 Q. And the first documentary was called</p> <p>15 Absolute Proof; is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. And have you watched Absolute Proof before?</p> <p>18 A. No.</p> <p>19 Q. I'm going to play just a short clip here of</p> <p>20 the beginning of the documentary called</p> <p>21 Absolute Proof.</p> <p>22 Oh, and my colleague is asking if we</p> <p>23 can go off just very quickly so she can</p> <p>24 upload the video and then we'll play it.</p> <p>25 THE VIDEOGRAPHER: We are now off</p>	<p style="text-align: right;">Page 56</p> <p>1 A. Yes.</p> <p>2 Q. Then I want to play for you one more clip</p> <p>3 from -- from the documentary itself which was</p> <p>4 previously marked as an exhibit in this case.</p> <p>5 (Exhibit 672 marked.)</p> <p>6 (Video playing.)</p> <p>7 MIKE LINDELL: -- "opinion this is</p> <p>8 an attack by other countries, a foreign -- of</p> <p>9 foreign countries; is what you're saying</p> <p>10 then?"</p> <p>11 UNIDENTIFIED SPEAKER: "I believe</p> <p>12 from what I've seen and the witnesses that</p> <p>13 I've talked to that this is a -- a coup that</p> <p>14 definitely involved elements inside our own</p> <p>15 country and inside our own federal</p> <p>16 government, definitely -- definitely part of</p> <p>17 the coup that was aided and abetted by a</p> <p>18 foreign threat nation state, a peer enemy</p> <p>19 nation state, China."</p> <p>20 MIKE LINDELL: "Do you believe</p> <p>21 that this attack from other countries could</p> <p>22 not have happened without people here,</p> <p>23 domestic people, domestic traders basically?"</p> <p>24 UNIDENTIFIED SPEAKER: "Yeah, I</p> <p>25 believe that. Again, we have affidavits of</p>

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<p style="text-align: right;">Page 57</p> <p>1 CIA and state department personnel out of the 2 Italian embassy participating in this coup. 3 We have a name, email and phone number of a 4 senior DOJ official from a -- from a U.S. 5 attorney that said that this individual was 6 shutting down any DOJ or FBI investigation 7 into any election -- any election-related 8 investigation and trying to shut down 9 judicial cases, court cases. So from inside 10 our own DOJ, people were shutting down active 11 investigations. 12 "You wonder why, you know, Mr. Barr 13 didn't find or see any evidence of widespread 14 election fraud, is because the FBI never did 15 anything other than to impede investigations 16 into election fraud. 17 "The FBI went to question truck 18 drivers who delivered ballots and created 19 affidavits. They were harassing, you know, 20 the Americans, you know, the patriotic 21 Americans who were -- who were whistleblowers 22 and prosecuting them. 23 "Mike, you mentioned something 24 earlier is the machines, the ES&S and 25 Dominion machines. If you look at, you know,</p>	<p style="text-align: right;">Page 59</p> <p>1 in public buildings and apartment buildings 2 and industrial complexes, you know, you would 3 spend quite a bit of money on the front side 4 to make sure the election was" -- 5 (Video stopped.) 6 BY MR. FREY: 7 Q. Okay, Mr. Furlong, that was a clip from the 8 Absolute Proof documentary. 9 As president of MyPillow at the time 10 that this documentary was published, were you 11 aware that Mr. Lindell and his guests would 12 tie Smartmatic to the alleged rigging of the 13 2020 U.S. election? 14 MR. KACHOUROFF: Objection to 15 form. 16 You can answer it, if you know. 17 THE WITNESS: Would you repeat 18 that? I'm sorry. 19 BY MR. FREY: 20 Q. Sure. As president of MyPillow at the time 21 this documentary was published, were you 22 aware that Mr. Lindell and his guests would 23 be tying Smartmatic to the rigging or the 24 alleged rigging of the 2020 U.S. election? 25 A. No.</p>
<p style="text-align: right;">Page 58</p> <p>1 military planning factors, there are critical 2 capabilities. Capability is what you have to 3 have to execute your mission or the enemy has 4 to have to execute its mission successfully. 5 "So critical capability for any of 6 this to happen are the inherent 7 vulnerabilities that were built into ES&S and 8 Dominion software, which is, you know, again 9 we've proven through our work that this is 10 all related directly back to the soft -- 11 Smartmatic -- Smartmatic -- SGO Smartmatic 12 software Core, and they definitely had 13 financial gains to -- financial reasons, 14 based on some of the other investments that 15 they've made, especially the -- you know, 16 looking down the road, if they make billions 17 and billions of dollars, the board of SGO 18 Smartmatic, because they own an air 19 purification company. 20 "So just think about it. If you get 21 to pick an administration that is favorable 22 to your company, say, and they pass a green 23 new deal and you're going to make billions 24 and billions of dollars off of 25 government-mandated air purification systems</p>	<p style="text-align: right;">Page 60</p> <p>1 MR. KACHOUROFF: Same objection. 2 BY MR. FREY: 3 Q. Do you agree with Mr. Lindell and his guests 4 making these accusations against Smartmatic 5 in connection with the alleged rigging of the 6 2020 U.S. election? 7 A. No. 8 MR. KACHOUROFF: Objection to 9 form, also relevance. 10 BY MR. FREY: 11 Q. And as president of MyPillow at the time this 12 documentary was published, did you take any 13 actions to stop Mr. Lindell from publishing 14 documentaries tying -- or allegedly tying 15 Smartmatic to the rigging of the 2020 U.S. 16 election? 17 A. No. 18 Q. And are you aware of the board of MyPillow -- 19 as a member of the board of directors of 20 MyPillow, are you aware of whether the board 21 took any actions to stop Mr. Lindell -- 22 A. No. 23 Q. -- in these activities? 24 A. No. 25 THE COURT REPORTER: I'm sorry,</p>

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<p style="text-align: right;">Page 61</p> <p>1 Tim, the end of that question cut out.</p> <p>2 MR. FREY: Engaging in any of</p> <p>3 these activities.</p> <p>4 THE COURT REPORTER: Thank you.</p> <p>5 BY MR. FREY:</p> <p>6 Q. Mr. Furlong, were you aware that in addition</p> <p>7 to publishing Absolute Proof, Mr. Lindell</p> <p>8 also appeared on a number of podcasts to</p> <p>9 promote the documentary?</p> <p>10 A. Am I aware that he did that?</p> <p>11 Q. Yes.</p> <p>12 A. No, I was not.</p> <p>13 Q. So I'm assuming, then, you were also not</p> <p>14 aware that during these appearances,</p> <p>15 Mr. Lindell would also promote MyPillow</p> <p>16 products and offer promo codes to purchase</p> <p>17 MyPillow products?</p> <p>18 A. No.</p> <p>19 Q. And do you agree with Mr. Lindell's actions</p> <p>20 to simultaneously broadcast MyPillow promo</p> <p>21 codes and promote MyPillow products while</p> <p>22 promoting documentaries claiming that the</p> <p>23 2020 election was rigged?</p> <p>24 A. No.</p> <p>25 Q. And did you do anything, as president of</p>	<p style="text-align: right;">Page 63</p> <p>1 A. No.</p> <p>2 Q. Do you know of any MyPillow employees who</p> <p>3 helped promote the cyber symposium?</p> <p>4 A. No.</p> <p>5 Q. Did you yourself attend the cyber symposium?</p> <p>6 A. No.</p> <p>7 Q. Were you aware that Mr. Lindell promoted</p> <p>8 MyPillow products and promo codes during and</p> <p>9 in advance of the cyber symposium?</p> <p>10 A. No.</p> <p>11 Q. Do you agree with the promotion of MyPillow</p> <p>12 products and promo codes during and in</p> <p>13 advance of the cyber symposium in connection</p> <p>14 with the cyber symposium?</p> <p>15 A. No.</p> <p>16 Q. As you're not aware of it, I'm going to just</p> <p>17 show you one document that demonstrates the</p> <p>18 linking by Mr. Lindell of the cyber symposium</p> <p>19 to MyPillow products. My colleague will</p> <p>20 place into the chat for you what was</p> <p>21 previously marked as Exhibit 661.</p> <p>22 A. Okay, I got it.</p> <p>23 Q. And do you see here this is -- this is a</p> <p>24 Page Vault, so this is an online tool that</p> <p>25 captures web pages. And so this is a</p>
<p style="text-align: right;">Page 62</p> <p>1 MyPillow, to stop Mr. Lindell from</p> <p>2 simultaneously broadcasting MyPillow promo</p> <p>3 codes promoting MyPillow products at the same</p> <p>4 time he was promoting the documentaries</p> <p>5 claiming that the 2020 U.S. election was</p> <p>6 rigged?</p> <p>7 A. No.</p> <p>8 Q. As a member of the board of directors of</p> <p>9 MyPillow, Inc., at the time these broadcasts</p> <p>10 were aired, are you aware of any board action</p> <p>11 to stop Mr. Lindell from simultaneously</p> <p>12 promoting MyPillow products and promoting</p> <p>13 documentaries claiming that the 2020 U.S.</p> <p>14 election was rigged?</p> <p>15 A. No.</p> <p>16 Q. Are you familiar with the cyber symposium</p> <p>17 that Mr. Lindell hosted in Sioux Falls,</p> <p>18 South Dakota in August of 2021?</p> <p>19 A. Yes.</p> <p>20 Q. Did you assist at all with any planning or</p> <p>21 preparation for the cyber symposium?</p> <p>22 A. No.</p> <p>23 Q. Do you know of any MyPillow employees who</p> <p>24 assisted with the planning or preparation for</p> <p>25 the cyber symposium?</p>	<p style="text-align: right;">Page 64</p> <p>1 Page Vault of the mypillow.com/frankspeech</p> <p>2 website introducing a flash sale.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 MR. KACHOUROFF: Objection.</p> <p>6 Objection to form.</p> <p>7 MR. FREY: What's your objection,</p> <p>8 Chris?</p> <p>9 Oh, Chris, I think you might be</p> <p>10 muted.</p> <p>11 MR. KACHOUROFF: Actually, I am.</p> <p>12 Sorry about that. I was objecting to form.</p> <p>13 And I just need a second to pull up the right</p> <p>14 page.</p> <p>15 MR. FREY: Yep.</p> <p>16 MR. KACHOUROFF: I'll start my</p> <p>17 video so you can see me.</p> <p>18 BY MR. FREY:</p> <p>19 Q. Mr. Furlong, do you see in the upper</p> <p>20 left-hand corner there's a MyPillow logo?</p> <p>21 A. Yes.</p> <p>22 Q. And then do you see down at the bottom of the</p> <p>23 page it says, "Capture URL</p> <p>24 https://www.mypillow.com/frankspeech"?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">Page 65</p> <p>1 Q. Do you recognize this as a landing page from 2 the MyPillow website? 3 A. No. 4 Q. Do you visit the MyPillow website? 5 A. No. Well, I do sometimes. I used to just 6 because of prices and things of that nature. 7 But other than that, I didn't visit it much. 8 Q. Do you have any reason to doubt that this is 9 a capture of the landing page from the 10 MyPillow website? 11 A. No. 12 Q. So you see there under the picture of 13 Mr. Lindell it reads, "Hello, I'm 14 Mike Lindell. I'm coming to you with the 15 most important commercial that I have ever 16 done. All of you know what MyPillow and 17 myself have gone through in the last five 18 months for my efforts to bring the truth 19 forward." 20 Do you see that? 21 A. Yes. 22 Q. He then says, "I'm having a cyber symposium 23 on August 10th, 11th and 12th. This 24 historical event will be livestreamed 72 25 hours straight on my new platform</p>	<p style="text-align: right;">Page 67</p> <p>1 MR. FREY: Sure. Yes. 2 BY MR. FREY: 3 Q. I said as the former president of MyPillow 4 and a board member of MyPillow, do you agree 5 with Mr. Lindell's decision to promote 6 MyPillow products in connection with the 7 hosting of the cyber symposium? 8 THE WITNESS: Thank you, Chris. 9 I -- I did not understand your 10 question. No, I do not approve. 11 Thanks. 12 BY MR. FREY: 13 Q. And did you -- did you take any action, as 14 president of MyPillow, to stop Mr. Lindell 15 from promoting MyPillow products in 16 connection with the hosting of the cyber 17 symposium? 18 A. I took no action. 19 Q. And as a director of the board of directors 20 of MyPillow, are you aware of any MyPillow 21 board members taking any actions to stop 22 Mr. Lindell from promoting MyPillow products 23 in connection with the cyber symposium? 24 A. No. 25 Q. And on this document you see that the landing</p>
<p style="text-align: right;">Page 66</p> <p>1 frankspeech.com. You can help by getting 2 everybody you know to go to frankspeech.com 3 now." 4 Do you see that? 5 A. Yes. 6 Q. And then he says, "To help support the cyber 7 symposium event, I am offering some of the 8 best prices ever on MyPillow products, but 9 they're only offered on frankspeech.com. Go 10 to frankspeech.com now to receive these 11 exclusive MyPillow offers." 12 Do you see that? 13 A. Yes. 14 Q. Okay. So, essentially, here Mr. Lindell is 15 telling viewers to support the cyber 16 symposium by buying MyPillow products, right? 17 A. Yes. 18 Q. And do you agree with Mr. Lindell's decision 19 to promote MyPillow products and promo codes 20 in connection with the hosting of the cyber 21 symposium? 22 A. Yes. 23 MR. KACHOUROFF: I don't 24 understand. Objection to form. I didn't 25 understand the question. Can you repeat it?</p>	<p style="text-align: right;">Page 68</p> <p>1 page is frankspeech.com. I think you said 2 earlier you're aware of the website called 3 FrankSpeech? 4 A. Yes. 5 Q. What is FrankSpeech? 6 A. I believe it's Mike's network for promoting 7 his views. 8 Q. Do you yourself subscribe to FrankSpeech? 9 A. No. 10 Q. Do you know whether you've ever received any 11 emails from FrankSpeech? 12 A. I blocked them. 13 Q. So you were signed up for it, but you blocked 14 the emails? 15 A. I'm not sure that I was signed up for it. I 16 may have just been -- you know, because of my 17 email address being MyPillow, it may have 18 just been, you know, added. 19 Q. So were MyPillow email accounts just added to 20 the server -- or the mail server for 21 FrankSpeech? 22 A. Yeah, I do not recall signing up for it. I'm 23 just assuming that. 24 Q. If I represent to you that we have emails 25 that were produced by MyPillow where your</p>

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<p style="text-align: right;">Page 69</p> <p>1 email address receives FrankSpeech email</p> <p>2 blasts, would you have any reason to dispute</p> <p>3 that?</p> <p>4 A. No, I do not.</p> <p>5 Q. But you're telling me that but you don't read</p> <p>6 them, because you block them?</p> <p>7 A. I block FrankSpeech, yes.</p> <p>8 Q. Did you yourself participate in any capacity</p> <p>9 in the planning or development of</p> <p>10 FrankSpeech?</p> <p>11 A. No.</p> <p>12 Q. Have you discussed FrankSpeech with</p> <p>13 Mr. Lindell?</p> <p>14 A. No.</p> <p>15 Q. Are you aware of the kinds of videos that are</p> <p>16 published on FrankSpeech?</p> <p>17 A. No.</p> <p>18 Q. Are you aware -- strike that.</p> <p>19 Do you have any reason to doubt that</p> <p>20 the videos published on FrankSpeech include</p> <p>21 the documentaries published by Mr. Lindell</p> <p>22 regarding alleged voting machine fraud in the</p> <p>23 2020 U.S. election?</p> <p>24 A. I have no doubt that they do.</p> <p>25 Q. And do you have any reason to doubt that</p>	<p style="text-align: right;">Page 71</p> <p>1 Q. Do you see that this is titled, MyPillow</p> <p>2 Board Meeting, 10/5/2021?</p> <p>3 A. Yes.</p> <p>4 Q. Do you recognize this document as minutes of</p> <p>5 a MyPillow board meeting?</p> <p>6 A. Yes.</p> <p>7 Q. Have you seen these minutes before?</p> <p>8 A. Yes.</p> <p>9 Q. And were you present at this meeting on</p> <p>10 October 5th, 2021?</p> <p>11 A. Yes.</p> <p>12 Q. I want to look at the second page here of</p> <p>13 this -- of these minutes under, Chairman's</p> <p>14 Report.</p> <p>15 A. Okay.</p> <p>16 Q. About four lines down under the chairman's</p> <p>17 report -- and the chairman is Mr. Lindell,</p> <p>18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. And so would it be typical at a board meeting</p> <p>21 for him to kind of give an update to the</p> <p>22 board on what was going on with the business?</p> <p>23 A. Yes.</p> <p>24 Q. And do you see four lines down it says,</p> <p>25 "Discussed FrankSpeech and how revenue will</p>
<p style="text-align: right;">Page 70</p> <p>1 MyPillow products are often also promoted in</p> <p>2 the videos posted to FrankSpeech?</p> <p>3 A. You're asking me to assume that. You know, I</p> <p>4 mean, I don't watch FrankSpeech, I don't</p> <p>5 watch any of it, so I don't know what goes on</p> <p>6 on it, so I can't really give you a truthful</p> <p>7 yes or no.</p> <p>8 Q. And that's partially because you've chosen to</p> <p>9 block the FrankSpeech emails from coming into</p> <p>10 your email account, correct?</p> <p>11 A. Correct.</p> <p>12 Q. In 2020 and 2021 -- or, I guess, strike that.</p> <p>13 In 2021 as president of MyPillow and</p> <p>14 a member of the board of directors, did you</p> <p>15 participate in any discussions regarding</p> <p>16 FrankSpeech?</p> <p>17 A. No.</p> <p>18 Q. I want to look at one set of boards minutes</p> <p>19 that I mentioned earlier. My colleague will</p> <p>20 drop these in the chat. This was previously</p> <p>21 marked as Exhibit 666. For the record, the</p> <p>22 Bates label is DEF11273862.</p> <p>23 Let me know when you have that,</p> <p>24 Mr. Furlong.</p> <p>25 A. I got it.</p>	<p style="text-align: right;">Page 72</p> <p>1 be coming from there as having them advertise</p> <p>2 MyPillow products"?</p> <p>3 A. Yes.</p> <p>4 Q. Does that refresh your recollection at all as</p> <p>5 to whether the board of directors of MyPillow</p> <p>6 discussed promoting MyPillow products on</p> <p>7 FrankSpeech?</p> <p>8 A. Yes.</p> <p>9 Q. What, if anything, now do you recall about</p> <p>10 that discussion?</p> <p>11 A. Well, obviously it's there. I don't recall</p> <p>12 it happening, but it's in the minutes.</p> <p>13 Q. Do you know whether any board members</p> <p>14 objected to having FrankSpeech advertise</p> <p>15 MyPillow products?</p> <p>16 A. I don't recall.</p> <p>17 Q. Are you aware of any board members taking any</p> <p>18 actions or raising any objections to having</p> <p>19 FrankSpeech advertise MyPillow products?</p> <p>20 A. I don't recall.</p> <p>21 Q. Do you have any reason to believe that any</p> <p>22 objections were raised?</p> <p>23 A. I doubt it.</p> <p>24 Q. And why is that?</p> <p>25 A. Again, I think the important thing is that,</p>

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<p style="text-align: right;">Page 73</p> <p>1 you know, Mike owns 51 percent of the</p> <p>2 company, and what he decides to do is going</p> <p>3 to happen unless there is some serious</p> <p>4 objection to it.</p> <p>5 And there are times -- you know, I</p> <p>6 think I stated before, the board members all</p> <p>7 depend on Mike for their checks. And so if</p> <p>8 somebody disapproved, they have to take that</p> <p>9 into account. Most of them just shut up and</p> <p>10 let it go.</p> <p>11 Q. And does this refresh your recollection at</p> <p>12 all regarding whether there were any</p> <p>13 contracts entered into that were approved by</p> <p>14 the board between FrankSpeech and MyPillow?</p> <p>15 A. There were none. Between the board. There</p> <p>16 were no contracts presented to the board.</p> <p>17 Q. I want to just look at one -- one document</p> <p>18 that FrankSpeech published. And this was</p> <p>19 previously marked.</p> <p>20 MR. FREY: It was not previously</p> <p>21 marked? Oh, that's right. I'm sorry.</p> <p>22 This will be a new exhibit. This</p> <p>23 will be Exhibit 668.</p> <p>24 (Exhibit 668 marked.)</p> <p>25 BY MR. FREY:</p>	<p style="text-align: right;">Page 75</p> <p>1 Q. Okay. What do you know of him?</p> <p>2 A. He's a well-known fraudster.</p> <p>3 Q. Have you discussed Dennis Montgomery with</p> <p>4 Mr. Lindell at any point in time?</p> <p>5 A. No.</p> <p>6 Q. If you see the fourth paragraph, it says,</p> <p>7 "Montgomery's information will be the final</p> <p>8 nail in the coffin for the proof that</p> <p>9 electronic voting machines are stealing your</p> <p>10 voice."</p> <p>11 Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Have you ever seen this Dennis Montgomery</p> <p>14 information?</p> <p>15 A. No.</p> <p>16 Q. Are you aware of the board of MyPillow ever</p> <p>17 reviewing the Dennis Montgomery information?</p> <p>18 A. They did not.</p> <p>19 Q. If you turn to -- or go to page 2 with the --</p> <p>20 in the second paragraph, it says, "Every</p> <p>21 dollar you donate is spent on our legal</p> <p>22 team's efforts to uncover the truth behind</p> <p>23 electronic voting machines and the corrupt</p> <p>24 outcome of the 2020 presidential election and</p> <p>25 all subsequent elections since."</p>
<p style="text-align: right;">Page 74</p> <p>1 Q. It should be coming up shortly.</p> <p>2 A. Oh, it's not there yet.</p> <p>3 Q. Do you have that?</p> <p>4 A. There it is. Got it.</p> <p>5 Q. Okay. And for the record, this is</p> <p>6 Bates-stamped DEF026575.00001.</p> <p>7 Do you see at the top there this is</p> <p>8 an email from FrankSpeech to</p> <p>9 jim@mypillow.com?</p> <p>10 A. Yes.</p> <p>11 Q. And is jim@mypillow.com your email address?</p> <p>12 A. Yes.</p> <p>13 Q. And the document says, "Hello from</p> <p>14 Mike Lindell. I have exciting news. Do you</p> <p>15 know who Dennis Montgomery is?"</p> <p>16 Do you see that?</p> <p>17 A. Yeah.</p> <p>18 Q. And, Mr. Furlong, do you know who</p> <p>19 Dennis Montgomery is?</p> <p>20 A. Yes.</p> <p>21 Q. Who is Dennis Montgomery?</p> <p>22 A. -- I've not met him.</p> <p>23 Q. I'm sorry, I couldn't hear you there for a</p> <p>24 second.</p> <p>25 A. Sorry. I know of him. I have never met him.</p>	<p style="text-align: right;">Page 76</p> <p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. It goes on to say, "We are funding lawsuits</p> <p>4 and strategic legal injunctions, as well as</p> <p>5 going on the offensive for everyday Americans</p> <p>6 who have been targeted by Dominion and</p> <p>7 Smartmatic."</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. And this was published by frankspeech.com,</p> <p>11 Mr. Lindell's website, correct?</p> <p>12 A. Correct.</p> <p>13 Q. And this FrankSpeech is what we looked at in</p> <p>14 the last exhibit as having sharing revenue</p> <p>15 and advertising MyPillow products, correct?</p> <p>16 A. That's what it said.</p> <p>17 Q. And you were present at this board meeting,</p> <p>18 right?</p> <p>19 A. I do not recall that happening, but I was in</p> <p>20 the board meeting.</p> <p>21 Q. And do you have any reason to doubt that the</p> <p>22 minutes of the board meeting would be</p> <p>23 inaccurate?</p> <p>24 A. No.</p> <p>25 Q. Mr. Furlong, during your tenure on the board</p>

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<p style="text-align: right;">Page 77</p> <p>1 of directors of MyPillow since the 2020</p> <p>2 election, do you recall any board discussions</p> <p>3 regarding Mr. Lindell's public statements</p> <p>4 about alleged election fraud or Smartmatic's</p> <p>5 role in that election?</p> <p>6 A. No.</p> <p>7 Q. Is it true, then, that at no point in time</p> <p>8 the MyPillow board made any attempt to</p> <p>9 distance MyPillow from Mr. Lindell's</p> <p>10 allegations of election fraud and</p> <p>11 Smartmatic's involvement in alleged election</p> <p>12 fraud?</p> <p>13 A. No.</p> <p>14 MR. KACHOUROFF: Objection to</p> <p>15 form.</p> <p>16 BY MR. FREY:</p> <p>17 Q. I'm sorry, my question was maybe a little too</p> <p>18 long, so I'll re -- I'll rephrase it.</p> <p>19 My question was: At any point in</p> <p>20 time, has the MyPillow board made any attempt</p> <p>21 to distance MyPillow from Mr. Lindell's</p> <p>22 allegations of election fraud and/or</p> <p>23 Smartmatic's alleged involvement in election</p> <p>24 fraud?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 79</p> <p>1 to that.</p> <p>2 BY MR. FREY:</p> <p>3 Q. As of February 5th, 2021, you understood that</p> <p>4 Smartmatic voting machines did not change</p> <p>5 votes cast for Donald Trump to votes for</p> <p>6 Joe Biden, correct?</p> <p>7 A. Correct.</p> <p>8 Q. As of February 5th --</p> <p>9 THE COURT REPORTER: I'm sorry,</p> <p>10 Chris, I saw your lips moving, but we</p> <p>11 couldn't hear you.</p> <p>12 MR. KACHOUROFF: I pushed the mute</p> <p>13 button. I muted myself when I said it. I</p> <p>14 was objecting to form of the last question.</p> <p>15 BY MR. FREY:</p> <p>16 Q. As of February 5th, 2021, you understood that</p> <p>17 Smartmatic voting machines did not inflate</p> <p>18 the number of votes cast for Joe Biden,</p> <p>19 correct?</p> <p>20 MR. KACHOUROFF: Same -- same</p> <p>21 objection.</p> <p>22 THE WITNESS: Yes.</p> <p>23 BY MR. FREY:</p> <p>24 Q. As of February 5th, 2021, you understood that</p> <p>25 Smartmatic voting machines did not deflate</p>
<p style="text-align: right;">Page 78</p> <p>1 MR. KACHOUROFF: Objection to</p> <p>2 form. Same objection.</p> <p>3 MR. FREY: Mr. Furlong, give me</p> <p>4 five minutes to look over my notes and then</p> <p>5 we might be -- at least I might be done for</p> <p>6 today.</p> <p>7 THE WITNESS: Okay.</p> <p>8 THE VIDEOGRAPHER: Do you want to</p> <p>9 go off the record, Mr. Frey?</p> <p>10 MR. FREY: Yes, please.</p> <p>11 THE VIDEOGRAPHER: We are now off</p> <p>12 the record. The time is 2:54 p.m.</p> <p>13 (Recess.)</p> <p>14 THE VIDEOGRAPHER: We are back on</p> <p>15 the record. The time is 2:59 p.m.</p> <p>16 BY MR. FREY:</p> <p>17 Q. Good afternoon, Mr. Furlong. I just have a</p> <p>18 handful more questions for you, okay?</p> <p>19 A. Okay.</p> <p>20 Q. And as a predicate to my questions, I'll</p> <p>21 represent to you that February 5th, 2021, is</p> <p>22 the date Mr. Lindell published the</p> <p>23 Absolute Proof documentary, okay?</p> <p>24 A. Okay.</p> <p>25 MR. KACHOUROFF: We'll stipulate</p>	<p style="text-align: right;">Page 80</p> <p>1 the number of votes cast for Donald Trump,</p> <p>2 correct?</p> <p>3 MR. KACHOUROFF: Same objection.</p> <p>4 THE WITNESS: Correct, yes.</p> <p>5 BY MR. FREY:</p> <p>6 Q. As of February 5th, 2021, you understood that</p> <p>7 Smartmatic's software did not change votes</p> <p>8 cast for Donald Trump to votes for Joe Biden,</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. Are you aware of any evidence that Smartmatic</p> <p>12 or Smartmatic software rigged the</p> <p>13 November 2020 U.S. election?</p> <p>14 A. No.</p> <p>15 Q. Are you aware of any evidence that Smartmatic</p> <p>16 or its software has or had any relationship</p> <p>17 with Dominion?</p> <p>18 A. No.</p> <p>19 MR. FREY: I have no further</p> <p>20 questions, Mr. Furlong. Thank you.</p> <p>21 MR. KACHOUROFF: I have just a few</p> <p>22 brief follow-up questions.</p> <p>23</p> <p>24 EXAMINATION</p> <p>25 BY MR. KACHOUROFF:</p>

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<p style="text-align: right;">Page 81</p> <p>1 Q. Mr. Furlong, did you know who Smartmatic was 2 prior to coming to this deposition? 3 A. Yes. 4 Q. And how did you know who they were? 5 A. The name has been in the news. 6 Q. Did you look them up on the web? 7 A. No. 8 Q. Do you know what products they create? 9 A. No, other than voting machines. 10 Q. Do you know who their customers are? 11 A. Various government agencies. 12 Q. And you know Mike's campaign is to get rid of 13 the machines, correct? 14 A. Yes. 15 Q. He does not like election machines counting 16 votes? 17 A. Correct. 18 Q. Are you aware that Smartmatic was only in one 19 county in the entire United States, that's 20 L.A. County -- 21 A. No. 22 Q. -- during the 2020 election? 23 A. No. 24 Q. Are you aware that the L.A. County, the 25 county that Smartmatic created its election</p>	<p style="text-align: right;">Page 83</p> <p>1 FURTHER EXAMINATION 2 BY MR. FREY: 3 Q. Are you aware of any evidence that 4 L.A. County voter information is stored on 5 Chinese communist servers? 6 A. No. 7 MR. FREY: No further questions. 8 MR. KACHOUROFF: Great. Thanks 9 guys. 10 THE VIDEOGRAPHER: Before we go 11 off the record, Mr. Kachouroff, would you 12 like a copy of the video today? 13 THE WITNESS: No. As much as I'd 14 like to see Mr. Furlong's face, and maybe 15 even in person, no, I don't need to see the 16 video. 17 THE VIDEOGRAPHER: And the 18 transcript? 19 MR. KACHOUROFF: Miniscript, 20 please. 21 THE VIDEOGRAPHER: Okay. Thank 22 you. 23 Ms. Larson, do you have anything else 24 before I take us off? 25 THE COURT REPORTER: No, I don't.</p>
<p style="text-align: right;">Page 82</p> <p>1 software and platforms for, are you aware 2 that voter information, sensitive voter 3 information was stored on Chinese communist 4 servers? 5 MR. FREY: Object to form, object 6 to foundation. 7 THE WITNESS: No. 8 BY MR. KACHOUROFF: 9 Q. Do you know -- you've known Mike for all 10 these years. We've heard all this discussion 11 about Mike this, Mike that. Do you know Mike 12 to be a liar? 13 A. No. 14 Q. Do you believe that Mike believes that the 15 statements that he is making are true? 16 MR. FREY: Object to form. 17 THE WITNESS: Yes. 18 BY MR. KACHOUROFF: 19 Q. You disagree with him on politics, though, 20 correct? 21 A. Yes. 22 MR. KACHOUROFF: Nothing further. 23 MR. FREY: Just one second, 24 Mr. Furlong. 25 Just one question, Mr. Furlong.</p>	<p style="text-align: right;">Page 84</p> <p>1 Thank you. 2 THE VIDEOGRAPHER: We are now off 3 the record. The time is 3:04 p.m. 4 (Deposition concluded 3:04 p.m.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

JAMES M. FURLONG
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1 REPORTER'S CERTIFICATE

2 Be it known that I took the foregoing
3 videotaped deposition of James M. Furlong,
4 on June 19, 2024;

5 That I was then and there a Registered
6 Professional Reporter and a Notary Public,
7 and that by virtue thereof, I was duly authorized
8 to administer an oath;

9 That the witness was by me first duly
10 sworn to testify to the truth, the whole truth and
11 nothing but the truth relative to said cause;

12 That the foregoing transcript is a true
13 and correct transcript of my stenographic notes in
14 said matter;

15 That I am not related to any of the
16 parties hereto, nor interested in the outcome of
17 the action;

18 WITNESS MY HAND AND SEAL the 21st day of June,
19 2024.

20

Amy L. Larson, RPR

21 My Commission Expires 01/31/25

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